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Mr. Louis D. Brandeis, until his nomination to the United States Supreme Court compelled him to withdraw from the case.

LINDSAY ROGERS.

A TREATISE ON THE LAW OF TELEGRAPH AND TELEPHONE COMPANIES, INCLUDING ELECTRIC LAW, by S. Walter Jones, 2d ed. (Kansas City: Vernon Law Book Co., 1916, pp. xxiv, 1065.)

The preface states that this work purposes to present to the profession "an exhaustive treatise of the law upon every point relating to telegraph and telephone companies." In view of the recent activities of forty-eight state legislatures, to say nothing of the federal Congress, the author is to be commended for his ambition. The "busy practitioner" is apt to be more critical and jealous of the word *exhaustive* than his first cousin, the "gentle reader."

The greediness of the federal courts under the interstate commerce clause and legislation relating thereto seriously affects the telegraph companies. A large percentage of their business is necessarily interstate. In *Adams Express Company v. Croninger*, 226 U. S. 491, the Supreme Court decided that state legislation, prohibiting reasonable classification of parcels and stipulations as to rates thereon by express companies, is ineffective as to interstate commerce, under the Carmack amendment; and the score of cases dismissed in Washington by mere reference to the Croninger decision shows that the Court was in earnest. Congress, by the Act of June 18, 1910, has expressly provided: "All charges made for any service rendered or to be rendered in the transportation of passengers or property and for the transmission of messages by telegraph, telephone or cable, as aforesaid, or in connection therewith, shall be just and reasonable; and every unjust and unreasonable charge for such service or any part thereof is prohibited and declared to be unlawful; provided that messages by telegraph, telephone, or cable, subject to the provisions of this act, may be classified into day, night, repeated, unrepeated, letter, commercial, press, government, and such other classes as are just and reasonable, and different rates may be charged for the different classes of messages." Under this federal enactment we find two important and well reasoned cases from the state courts. *Haskell Co. v. Postal Tel. Co.* (Me.), 96 Atl. 219; *Boyce v. Western Union Tel. Co.* (Va.), 89 S. E. 106. Both opinions were in print months before Professor Jones' book went to press, yet neither is cited by him. Nor is the act of June 18, 1910, referred to in the sections on "Federal Control."

The book is divided into thirty-one chapters, those dealing with construction and maintenance and damages being particularly thorough and enlightening. The Act of Congress of June 24, 1866, and kindred legislation, is treated at length. The discussion of "Corporate Rights and Franchises" is not adequate; but local state statutes should supply the omissions. That most prolific source of litigation in recent years—the right to recover damages for mental anguish—is admirably and tersely

set out in Chapter XXIII, though the treatment might be rearranged to advantage.

On the whole, this treatise reveals the careful work of a tireless student. It is singularly free from lengthy discussions of a single point of law, and leaves the theorizing to the courts, save where the decisions are entangled. The first edition, already an authority, has been improved and enlarged by several thousand cases. The index is far better than can be found in the average text book.

GETHING C. MILLER.

THIRD PARTY MOVEMENTS, by Fred E. Haynes. (Iowa City: The State Historical Society of Iowa, 1916, pp. xii, 564.)

A very valuable service has been performed by Dr. Haynes in this volume, which began as a study of party movements in Iowa, but which, when it was found that the minor organizations in this state were bound up with national parties, was extended in scope. He describes in detail the origin, growth, importance and influence of the Liberal Republican, Farmers', Greenback, Populist and Progressive Movements. The special service of minor parties, he points out, has been to call attention to particular economic and social problems which need solution and to rally sufficient sentiment to enforce their attack by one of the two great parties. Thus the third parties have proved largely sporadic, but their influence has been important. Dr. Haynes has done a scholarly piece of work with exhaustive completeness of detail.